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Southern District of New York  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

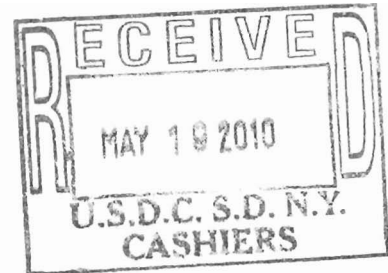
- v. -

\$204,975.00 IN UNITED STATES  
CURRENCY,

Defendant-*in-rem*.

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10 CIV 4142



VERIFIED COMPLAINT

10 Civ.

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Plaintiff United States of America, by its attorney,  
Preet Bharara, United States Attorney for the Southern District  
of New York, for its verified complaint alleges, upon information  
and belief, as follows:

I. INTRODUCTION

1. This action is brought by the United States of  
America pursuant to 21 U.S.C. § 881(a)(6) seeking the forfeiture  
of \$204,975.00 in United States currency ("DEFENDANT CURRENCY"),  
on the grounds that the DEFENDANT CURRENCY constitutes moneys  
furnished or intended to be furnished in exchange for a  
controlled substance, proceeds traceable to such an exchange,  
and/or moneys used or intended to be used to facilitate such an  
exchange.

## II. JURISDICTION AND VENUE

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355.

3. Venue is proper under 28 U.S.C. §§ 1355(b) and 1395(b) because actions and omissions giving rise to the forfeiture of the DEFENDANT CURRENCY took place in the Southern District of New York.

4. The DEFENDANT CURRENCY is currently in the custody of the Westchester County Police Department.

## III. PROBABLE CAUSE FOR FORFEITURE

5. On September 17, 2009, members of the Westchester County Police Department ("WCPD"), responded to the Westchester County Airport Main Terminal to investigate a report of a suspicious package at the check bag screening area.

6. Investigating WCPD officers learned from Transportation Security Administration officers ("TSA") on the scene that an individual, later identified as Wayne A. Anderson ("Anderson"), had checked his bag and expressed concern about being able to locate the bag once he arrived at his destination, Las Vegas, Nevada.

7. Upon screening the bag, TSA officers noticed that the screening machine had alerted that the bag was shielded. As per TSA procedures, officers conducted a physical inspection of the bag and discovered a large amount of money. The money was

behind a piece of cardboard, which in turn was behind a zippered compartment in the back of the bag.

8. Upon further examination, the officers observed thirteen vacuum sealed packages of United States currency. The packages were clear plastic and contained bundles of United States currency in denominations of \$5.00, \$10.00, \$20.00, \$50.00 and \$100.00 bills. The bag also contained a United Airlines bag tag for flight #6892 with the name "Anderson, Wayne A."

9. TSA officers pointed out Anderson, who was waiting in the departure lounge, to the WCPD officers.

10. WCPD officers approached Anderson and spoke to him regarding the bag. He stated that the bag was his, but denied that there was any money in his bag. WCPD officers then escorted Anderson from the departure lounge to the airport administration office for further questioning.

11. Anderson stated further that he packed his bag in the morning and that there was no money in the bag, that the clothing in the bag was his, and that he was in possession of the bag the entire time and had never lost sight of it. Anderson was sweating profusely and was avoiding eye contact with the officers. Anderson contacted his wife by cell phone who, according to Anderson, informed him that there was in fact money in the bag. He stated that he will contact the owner of the money who would be able to identify the money and the amount.

Anderson was ultimately released with his clothes.

12. The DEFENDANT CURRENCY was later transported to the United States Department of Homeland Security Office for forensic testing. Package one (1) contained \$85,000 in United States currency; Package two (2) contained \$10,000 in United States currency; Package three (3) contained \$17,995 in United States currency; Package four (4) contained \$15,000 in United States currency; Package five (5) contained \$20,000 in United States currency; Package six (6) contained \$10,000 in United States currency; Package seven (7) contained \$1,000 in United States currency; Package eight (8) contained \$5,000 in United States currency; Package nine (9) contained \$8,000 in United States currency; Package ten (10) contained \$9,980 in United States currency; Package eleven (11) contained \$3,000 in United States currency; Package twelve (12) contained \$5,000 in United States currency; and Package thirteen (13) contained \$15,000 in United States currency. These thirteen packages of United States currency constitute the DEFENDANT CURRENCY.

13. Law enforcement randomly selected three of the thirteen packages for testing for the presence of narcotics. All three packages tested positive for the presence of cocaine.

#### IV. CLAIM FOR FORFEITURE

14. The allegations contained in paragraphs 1 through 13 of the Complaint are incorporated herein.

15. Pursuant to 21 U.S.C. § 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate such an exchange, in violation of Subchapter I of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such property.

16. The DEFENDANT CURRENCY is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange, in violation of Subchapter I of Title 21 of the United States Code.

17. By reason of the above, the DEFENDANT CURRENCY became, and is, subject to forfeiture to the United States of America, pursuant to 21 U.S.C. § 881(a)(6).


WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the DEFENDANT CURRENCY and that all persons having an interest in the DEFENDANT CURRENCY be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the DEFENDANT CURRENCY to the United States of America for disposition according to law, and that this Court grant plaintiff

such further relief as this Court may deem just and proper,  
together with the costs and disbursements of this action.

Dated: New York, New York  
May 19, 2010

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for the Plaintiff  
United States of America

By:

A handwritten signature in black ink, appearing to read 'Kan M. Nawaday', is written over a horizontal line.

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